IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE EIGHTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 141 of 2004

Between:

R.Venkata Ratnam, S/o Purnachandra Rao, Lecturer
M.V.N.J.S. & R.V.R.College of Arts and Science, Malikipuram, East Godavari District.

..... PETITIONER

AND

1 The State of Andhra Pradesh rep.by its Principal Secretary to Higher Education, (CE.II.2) Dept. Secretariat, Saifabad, Hyderabad.
2 The Commissioner and Director of Higher Education, Nampally, Hyderabad.
3 M.V.N.J.S. & R.V.R.College of Arts and Science, rep.by its Secretary and Correspondent,
Malikipuram, East Godavari District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, Order or direction more particularly one in the nature of a Writ of Mandamus by declaring the action of the respondents in not admitting the petitioner into grant-in-aid post of Lecturer in Public Administration by extending the benefit of relaxing the rules granted to similarly situated persons as illegal, arbitrary and violative of principles of Natural Justice and also violative of Articles 14,16 and 21 of the Constitution of India and consequently direct the respondents to admit the petitioner into grant-in-aid post of Lecturer in Public Administration with all consequential benefits.

Counsel for the Petitioner:MR.V.AJAYAKUMAR

Counsel for the Respondent Nos. 1 and 2: GP FOR HIGHER EDUCATION

Counsel for the respondent No.3: None appeared

The Court made the following :

ORDER:

Heard both sides and at their request the main Writ Petition itself is taken up for disposal.

The petitioner herein files this Writ Petition inter alia, seeking declaration that the action of the respondents in not admitting the petitioner into grant-in-aid post of Lecturer in Public Administration by extending the benefit of relaxing the rules granted to similarly situated persons as illegal and arbitrary.

Now subsequently it is pointed out that the petitioner also filed a comprehensive representation on 29.12.2003 in this regard and the same is still pending.

In view of the above, it is not necessary to go into the merits of the case at this stage and it would suffice in the interest of justice if a direction is given to the respondents to consider the representation dated 29.12.2003 and pass appropriate orders.

Accordingly, the Writ Petition is disposed of directing the respondents to consider the representation filed by the petitioner dated 29.12.2003 and dispose of the same on merits in accordance with law within a period of two months from the date of receipt of a copy of this order. No costs.

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B. PRAKASH RAO,J

Dated: 08.12.2004

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To

1 The Principal Secretary to Higher Education,
(CE.II.2) Dept. The State of A.P,Secretariat, Saifabad, Hyderabad.
2 The Commissioner and Director of Higher Education, Nampally, Hyderabad.
3 The Secretary and Correspondent M.V.N.J.S. & R.V.R.College of Arts and Science. Malikipuram, East Godavari District.

4. 2 CCs to G.P. for Higher Education, High Court of A.P., Hyderabad (OUT)

5. 2 CD copies.